

Volkswagen Emissions FAQs

INFORMATION FROM THE DELAWARE ATTORNEY GENERAL'S OFFICE FOR DELAWARE CONSUMERS WHO OWN VOLKSWAGEN, AUDI, OR PORSCHE DIESEL VEHICLES

1. What is the problem with Volkswagen, Audi, and Porsche diesel cars and is my car affected?

Volkswagen Group of America is being investigated for installing software in certain diesel cars that senses when an emission test is being administered and falsifies the results. Approximately 1,938 Volkswagens, Audis, and Porsche vehicles for the relevant models and years are currently registered in Delaware.

The United States Environmental Protection Agency (EPA) has found that certain four-cylinder and 3.0 liter Volkswagen, Audi, and Porsche diesel vehicles from model years 2009-2016 have illegal software that circumvents EPA emissions standards for certain air pollutants. This software is called a "defeat device." In September 2015, EPA issued a notice of violation of the Clean Air Act (CAA) to Volkswagen for producing and selling diesel cars with this software. On November 2, 2015, the EPA further issued a Notice of Violation identifying additional makes and models with defeat devices. On November 19, 2015, Volkswagen informed the EPA that there were even more affected vehicles. EPA continues to investigate this problem.

You can find a list of the vehicles with this software and answers to Frequently Asked Questions at EPA's website: <http://www3.epa.gov/otaq/cert/violations.htm>.

2. Is Delaware investigating this problem and what is likely to be the result of an investigation?

The Delaware Attorney General's Office is investigating this problem. The Office's Consumer Protection Unit is looking at whether Volkswagen violated Delaware's Consumer Fraud Act and Deceptive Trade Practices Act. The Office is working with Attorneys General in other states. Collecting all the information needed will take time.

We cannot predict the result of this investigation. Usually, if Delaware reaches a settlement with a company which was violating consumer protection laws, the State gets (1) injunctive terms to prevent the conduct from happening again, (2) restitution to Delawareans who have suffered damages as a result of the company's actions, and (3) civil penalties. Restitution may include money for any damages, refund, or replacement.

3. My car is affected. What should I do now?

A. The State of Delaware investigation. We ask that owners of affected cars file a written complaint with our office, so that we can communicate with consumers about this issue. To file a complaint electronically, go to our online [complaint form](#). For additional instructions on how to file a complaint by mail, email, or fax, please review our [instruction page](#) or call 302-577-8600 or 1-800-220-5424.

B. Private actions. You are free to join a class action lawsuit. You can also consult with a private attorney. Our Office cannot tell you whether to take either action. Consumers can contact the law firms which have filed these private lawsuits and ask questions about the pros and cons of joining a lawsuit. As in any private litigation on behalf of consumers, the attorneys handling the private lawsuit will be paid a portion of any money received from the lawsuit.

4. I am worried about my car causing air pollution. What is Volkswagen's plan to fix my car so it does not emit so much air pollution? Will I have to pay for the repair?

Volkswagen has stated that it plans to recall and retrofit 11 million diesel-powered cars worldwide. Volkswagen must come up with a plan to correct the problem and this must be approved by EPA. Although Volkswagen has said that it will be asking owners to bring their cars in soon to have the illegal software deactivated, it could be several months or more before a recall is issued.

It is our understanding that owners will be notified of that recall once Volkswagen has developed a remedial plan and EPA has approved the plan. Manufacturers are given a reasonable amount of time to develop a plan to complete the repairs, including both the repair procedure and manufacture of any needed parts. Depending on the complexity of the repair and the lead time needed to obtain the necessary components, it could take up to one year to identify corrective actions, develop a recall plan, and issue recall notices.

You are not responsible for repair costs related to an emissions recall.

5. Will my car pass a Delaware State Inspection before it is fixed?

Yes. The emission system will need to be repaired, but it may be done as part of the EPA approved recall process.